

REMARKS

Claims 1-4, 6-14 and 16-31 remain pending in the application.

The Applicants respectfully request that the Examiner initial and return a copy of the IDS filed on April 15, 2010.

The Applicants respectfully requests that the Examiner reconsider earlier rejections in light of the following remarks. No new issues are raised nor is further search required as a result of the remarks made herein. Entry of the Response is respectfully requested.

Claims 1-3, 10-13, 19-22, 23-25 and 26-31 Timmins and Whittington

In the Office Action, claims 1-3, 10-13, 19-22, 23-25 and 26-31 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over U.S. Pat. No. 6,816,580 to Timmins ("Timmins") in view of U.S. Pat. No. 6,131,028 to Whittington ("Whittington"). The Applicants respectfully traverse the rejections.

Claims 1-3, 10-13, 19-22, 23-25 and 26-31 recite, *inter alia*, retrieval of a **location based message** associated with an **obtained current location** of a subscriber device **and** selected using **at least one auxiliary digit**, with an information telephone call comprising **dialed digits "4-1-1" suffixed by the at least one auxiliary digit**.

Thus, the claimed features require retrieving a **location based** message based on **TWO** elements: (1) an **obtained current location** and (2) **at least one auxiliary digit suffixed to dialed digits "4-1-1"**.

As discussed in more detail below, the Examiner cited references **at best** teach reliance on a **SINGLE** criteria, i.e., a wireless device's current location, as a basis to retrieve a location based message.

Dialed digits "4-1-1" allows a call to be routed to a specific destination. In particular, dialed digits "4-1-1" allow a call to be **routed** to an information retrieval destination, conventionally being directory assistance. Conventional directory assistance **routing** techniques can continue be utilized to route an information telephone call using the claimed features, with the additional benefits of being able to retrieve a location message based on at least one auxiliary digit **suffixed to dialed digits "4-1-1"**. **Suffixing at least one auxiliary**

digit to dialed digits “4-1-1” allows an information telephone to be routed as a conventional “4-1-1” information telephone call, but with additional capabilities provided by at least one auxiliary digit suffixed to dialed digits “4-1-1”. Thus, suffixing at least one auxiliary digit to dialed digits “4-1-1” provides significant benefits over the cited reference – not taught or suggested by suffixing a digit to just any number, as discussed in more detail below.

The Examiner acknowledges that Timmins fails to teach querying a location-based wireless service in response to an information telephone call to automatically obtain a current location of a subscriber device, retrieving a location based message associated with the obtained current location and selected using the at least one auxiliary digit, and transmitting the retrieved location based message to the subscriber device. (see Office Action, page 2 and 2)

The reason Timmins fails to teach the acknowledged deficiencies is that Timmins invention uses dialed digits “4-1-1” suffixed by at least one auxiliary digit for “accessing a desired information assistance provider, regardless of which carrier a user utilizes.” (see col. 3, lines 34-36) Thus, modifying Timmins with the acknowledged deficiencies in Timmins would not provide any benefit in accessing a desired information assistance provider. In other words, modifying Timmins to retrieving a location based message for routing an information call to a desired information assistance provider is nonsensical.

Moreover, the Examiner acknowledged deficiency fail to properly reiterate the claimed features. The claimed location based message is based on TWO elements (1) an obtained current location of a subscriber device and (2) selected using at least one auxiliary digit, with an information telephone call comprising dialed digits “4-1-1” suffixed by the at least one auxiliary digit. Whittington teaches a features code that is pre-fix to a telephone number. (see col. 3, lines 22-35) Whittington fails to teach or suggest use of the dialed digits “4-1-1” OR at least one auxiliary digit suffixed to dialed digits “4-1-1”. Thus, Whittington cannot teach a location based message that is based on such features, as required by claims 1-3, 10-13, 19-22, 23-25 and 26-31.

In summary, the Examiner's cited references at best teach or suggest retrieval of a location based message based on a **SINGLE** criteria, a current location of a wireless device (Whittington). Timmis and Whittington, either alone or in combination, at best teach or suggest use of dialed digits "411XX" to route a call to a **desired information assistance service provider** (Timmins) and a wireless device's current location as a basis to retrieve a location based message (Whittington). Timmins modified to retrieve a location based message is **nonsensical** in the **context** of routing a call to a to a **desired information assistance service provider**. Timmins and Whittington, either alone or in combination, fail to disclose, teach or suggest require retrieving a **location based** message based on TWO elements: (1) an **obtained current location** and (2) **at least one auxiliary digit suffixed to dialed digits "4-1-1"**, as required by claims 1-3, 10-13, 19-22, 23-25 and 26-31.

Accordingly, for at least all the above reasons, claims 1-3, 10-13, 19-22, 23-25 and 26-31 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 4, 7-9, 14, 17 and 18 over Timmins, Whittington, and Bar

In the Office Action, claims 4, 7-9, 14, 17 and 18 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Timmins in view of Whittington, and further in view of U.S. Patent No. 6,456,852 to Bar et al. ("Bar"). The Applicants respectfully traverse the rejections.

Claims 4, 7-9, 14, 17 and 18 are dependent upon claims 1 and 11 respectively, and are allowable for at least the same reasons as claims 1 and 11.

Claims 4, 7-9, 14, 17 and 18 recite, *inter alia*, retrieval of a **location based message** associated with an **obtained current location** of a subscriber device **and** selected using **at least one auxiliary digit**, with an information telephone call comprising **dialed digits "4-1-1" suffixed by the at least one auxiliary digit**. As discussed above, Lohtia, Whittington and Degraeve, either alone or in combination, fail to disclose, teach or suggest such features.

Bar is relied on to allegedly teaches various features from claims 4, 7-9, 14, 17 and 18. (see Office Action, pages 5 and 6) Thus, even in view of

Bar's alleged teaching, Timmins, Whittington, and Tell, either alone or in combination, fail disclose, teach or suggest retrieval of a **location based message** associated with an **obtained current location** of a subscriber device **and** selected using **at least one auxiliary digit**, with an information telephone call comprising **dialed digits "4-1-1" suffixed by the at least one auxiliary digit**, as recited by claims 4, 7-9, 14, 17 and 18.

Accordingly, for at least all the above reasons, claims 4, 7-9, 14, 17 and 18 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 6 and 16 over Timmins, Whittington, and Tell

In the Office Action, claims 6 and 16 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Timmins in view of Whittington, and further in view of U.S. Patent No. 5,774,802 to Tell et al. ("Tel"). The Applicants respectfully traverse the rejections.

Claims 6 and 16 are dependent upon claims 1 and 11 respectively, and are allowable for at least the same reasons as claims 1 and 11.

Claims 6 and 16 recite, *inter alia*, retrieval of a **location based message** associated with an **obtained current location** of a subscriber device **and** selected using **at least one auxiliary digit**, with an information telephone call comprising **dialed digits "4-1-1" suffixed by the at least one auxiliary digit**. As discussed above, Lohtia, Whittington and Degraeve, either alone or in combination, fail to disclose, teach or suggest such features.

Tell is relied on to allegedly teaches location of a wireless device using an angle of arrival. (see Office Action, page 6) Thus, even in view of Tell's alleged teaching, Timmins, Whittington, and Tell, either alone or in combination, fail disclose, teach or suggest retrieval of a **location based message** associated with an **obtained current location** of a subscriber device **and** selected using **at least one auxiliary digit**, with an information telephone call comprising **dialed digits "4-1-1" suffixed by the at least one auxiliary digit**, as recited by claims 6 and 16.

Accordingly, for at least all the above reasons, claims 6 and 16 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



William H. Bollman
Reg. No.: 36,457
Tel. (202) 261-1020
Fax. (202) 887-0336

MANELLI DENISON & SELTER PLLC
2000 M Street, N.W. 7th Floor
Washington D.C. 20036-3307
WHB/df